

# **EXHIBIT B**

**Dalton, Amy**

---

**From:** Steven Vachani <vachani@outlook.com>  
**Sent:** Monday, March 20, 2017 5:49 AM  
**To:** Cooper, Monte  
**Cc:** Chatterjee, Neel; Dalton, Amy; Mudurian, Karen N.; Uriarte, Robert L.; Shumsky, Eric A.; Holden Jr., Frederick D.; Nikki Sokol; Lee, Thomas H.; Schwenk, Andrew; Amy Anderson  
**Subject:** Re: Facebook, Inc. v. Power Ventures, Inc.: Defendants' Failure Satisfy Order Requiring Payment of Sanctions

Monte, thank you for your email. Per your request for formal communication from both the defendants, I will try to respond separately in this single email for each of the defendants.

First, speaking on behalf of myself personally, please remind the court that there is an active personal bankruptcy case of which this \$39,796.73 will be (if it hasn't already been) updated to the current ~\$3,100,000,000 claim that Facebook was previously claiming in that bankruptcy case.

As Mr. Holden is copied here, he can better advise you if he has appropriately adjusted the current Facebook claim in bankruptcy court to reflect the \$3,100,000 reduction and to reflect this current claim. He has more experience than myself in the proper procedures on this.

Please consider this note as formal communication from myself as a co-defendant regarding the status of this payment. I did expect that Facebook's counsel in our bankruptcy case, Mr. Holden, would have updated you on this matter without you needing to request this update from me personally. As your email indicated that I personally have not communicated with you and seemed to indicate that you were not aware of the details of our bankruptcy hearing, you now have a formal update from me. Again, I request that you speak with your colleague Mr. Holden for further details.

Regarding Power Ventures Inc., please consider this email the formal communication that you were requesting and needing. Power Ventures currently does not have the financial resources to pay this \$39,796.73 immediately and is hereby reaching out to you in good faith to discuss this matter and request an extension.

Please advise the court that Power Ventures has reached out to you to request an extension of payment from our client and we are now awaiting a response. More specifically, can you please speak with your client to see if they would consider to provide a 90 day extension on the due date to June 15th for this payment while we evaluate our financial options and determine the best solution. At the end of this 90 day period, we can give you a further update on our options. While this extension does not guarantee we will have resolved our financial situation by then, we believe it will be more efficient for all parties to speak then on this matter.

If you think that this delay of payment may cause financial hardship or inconvenience for your client, please do let me know if you have any alternative suggestions.

As there is still an active district court proceeding and active Supreme Court petition which both could dramatically effect the final amount that Facebook will need to pay to Power or that Power will need to pay to Facebook, we think it might be best to wait at least 90 days so that we all have a clearer idea on the final amounts owed. This way, we can all sit down one time and try to figure out the best arrangement rather than

need to have multiple meetings. I hope your client agrees that this might be more prudent and save us all more time.

Again, if you feel there is an urgency for your client to receive this \$39,796.73 immediately or feel that they will be prejudiced, inconvenienced, or that this delay will cause hardship, please do let me know. I must reiterate that Power's financial situation is not good at the moment and we hope that you will consider our request for this preliminary extension. Please also inform Judge Koh that Power Ventures has reached out to you in good faith and has asked Facebook Inc. for a 90 day extension.

One final note, in your email, you commented that Power's counsel for its Supreme Court petition had not made an appearance here. I believe they have already communicated with Facebook counsel to inform you guys of their representation of Power in its Supreme Court petition. I have also copied them to this email for your convenience. If you feel the need to speak with Mr. Thomas Lee on any matter regarding the Supreme Court petition, you are also welcome to reach out to him directly.

Thanks,  
Steven Vachani

---

**From:** Cooper, Monte <mcooper@orrick.com>

**Sent:** Sunday, March 19, 2017 6:50 PM

**To:** vachani@outlook.com; Amy Anderson

**Cc:** Chatterjee, Neel; Dalton, Amy; Mudurian, Karen N.; Uriarte, Robert L.; Shumsky, Eric A.; Holden Jr., Frederick D.; Nikki Sokol

**Subject:** Facebook, Inc. v. Power Ventures, Inc.: Defendants' Failure Satisfy Order Requiring Payment of Sanctions

Amy and Steve:

As you know, on February 15, 2017, the Court entered a Case Management Order (Dkt. No. 410) that required Defendants to pay by March 15, 2017 the \$39,796.73 in discovery sanctions that the Ninth Circuit affirmed were properly awarded by the District Court in this case. Facebook did not receive such payment by March 15. Nor has Facebook received any communication from the Defendants explaining why no payment was made. We are aware that Defendants jointly filed a Petition for Certiorari on March 9, 2017 using new counsel, but that Petition does not seek review of the sanctions award. Nor has counsel that filed the Petition for Certiorari made any appearance in the ongoing District Court proceedings.

Accordingly, Facebook intends to contact Judge Koh tomorrow to apprise her of the Defendants' failure to meet the sanctions order payment by the March 15 deadline set in the Case Management Order. If there is any information you wish to share with us before we contact Judge Koh about why no payment was made, please feel free to do so. Thank you,

Monte

---

**NOTICE TO RECIPIENT** | This e-mail is meant for only the intended recipient of the transmission, and may be a communication privileged by law. If you received this e-mail in error, any review, use, dissemination, distribution, or copying of this e-mail is strictly prohibited. Please notify us immediately of the error by return e-mail and please delete this message from your system. Thank you in advance for your cooperation.

For more information about Orrick, please visit <http://www.orrick.com>.

---



## Orrick - Homepage

[www.orrick.com](http://www.orrick.com)

With 25 offices in Asia, Europe and North America, Orrick offers our clients a local understanding of business and the law combined with a global perspective.

---